IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

SUIT NO. 2564 OF 1996

Digital Equipments India Ltd. ... Plaintiffs

V/s

Mr. Dilip Kanchan ... Defendant

Ms. A. Kalyanram i/by M/s. Gagrat & Co. for the plaintiffs.

None for the defendant.

CORAM: P.V. KAKADE, J.

DATED: 10TH AUGUST, 2004.

P.C.:

1. Heard learned counsel for the plaintiffs who has filed the affidavit of evidence and documents. There are zerox copies of the documents in compilation, however, the affidavit of documents gives cogent reasons as to why secondary evidence is being led.

No written statement is filed by the defendant inspite of the fact that the defendant is served and has appeared through the advocate.

2. In view of these facts and circumstances, the contents of the plaint as well as affidavit of evidence

have gone unchallenged on record and, therefore, the plaintiffs are entitled to the decree by virtue of Order VIII Rule 5(2) of the C.P.C. Hence the following order:

O R D E R

The suit is decreed with costs in terms prayer clauses (a), (b) & (c).

C. c. expedited.

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